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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,721	05/03/2005	Oliver Bohme	DE 020250	7816
24737 7590 02/05/2008 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			EXAMINER ROY, SIKHA	
			ART UNIT 2879	PAPER NUMBER
			MAIL DATE 02/05/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/533,721

Applicant(s)

BOHME ET AL.

Examiner

Sikha Roy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 May 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>0505,0206</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the 'return lead comprises a locking means' as claimed in claim 12 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

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the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

As provided in 37 CFR 1.77(b) the specification should include following sections, each one with proper section headings such as 'Title of the Invention', 'Background of the Invention', 'Summary of the Invention', 'Brief Description of Drawing', 'Detailed Description of the Invention', 'Claims' and 'Abstract'.

The disclosure is objected to because of the following informalities:

Page 2 line 15, 'two-punch burner' should be replaced by -- two-pinch burner--.

Appropriate correction is required.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

Claims 4, 7, 8, 10 and 13 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. See MPEP § 608.01(n). For examination purpose these claims 4,7,8,10 and 13 have been considered to be dependent on claim 1 only.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,4,5,6 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 4,935,660 to Heider et al.

Regarding claim 1 Heider discloses (Figs. 1,2 col. 3 lines 50-59, col. 4 lines 36,37 col. 5 lines 11-38) a reflector lamp with a reflector 2 with a lamp base 9, with a halogen burner 1 and with a cap 24 which envelops the halogen burner at least partly and is retained by a bracket 22 which extends as a bridge from one side of the reflector to the other characterized in that the halogen burner 1 is enveloped by a glass bulb (tubular element)19 (14 in Fig. 1).

Regarding claim 4 Heider discloses (col. 5 lines 11,12) the bottom of the glass bulb has an opening.

Regarding claim 5 Heider discloses (Figs. 1, 2 col. 4 lines 4-21) the lamp base 9 has a cylindrical opening with a step.

Regarding claim 6 Heider discloses (col. 5 lines 1-3) the lamp base comprises a leaf spring or a spring ring 16a.

Regarding claim 8 Heider discloses (col. 5 lines 11-13) end of the glass bulb 14 is closed by the cap structure which is not integral with the bulb and hence the bulb and the cap are at a distance from one another.

Regarding claim 10 Heider discloses in Fig. 2 the glass bulb 19 is at least partly surrounded by the cap 24.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 3 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 4,935,660 to Heider et al.

Regarding claim 2 Heider discloses (col. 5 lines 35-39) the cap 24 has mirrored surface on the inside to reflect radiation back to the reflector. Heider does not explicitly disclose the mirrored surface on the glass bulb. The portion of the mirrored surface of the cap overlaps the outer surface of the glass bulb and hence it would have been obvious to one of ordinary skill in the art to form the reflecting (mirrored) layer on the outside of the glass bulb since it has been held rearranging parts of an invention involves only routine skill in the art.

Regarding claim 3 Heider discloses the glass bulb having reflecting layer impermeable to light.

Regarding claim 9 Heider discloses (Fig. 3 col. 5 lines 46-53) in another embodiment a spring between the glass bulb and the cap for fitting the cap to the glass bulb. Therefore it would have been obvious to one of ordinary skill in the art at the time

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of invention to employ the spring arrangement for holding the cap and the glass bulb 19 for the embodiment disclosed in Fig. 2 so that the bulb is securely retained in the position relative to the cap.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 4,935,660 to Heider et al. as applied to claim 1 above, and further in view of USPN 5,260,856 to Perthus et al.

Regarding claim 7 Heider is silent about the glass bulb comprising a bulge.

Perthus in same field of endeavor discloses (Fig. 1 col. 3 lines 19-24) a discharge lamp having a glass envelope 19 surrounding the lamp where the glass envelope 19 has a bulge 26 (radially outward pointing projection) for holding the envelope in predetermined position.

Therefore it would have been obvious to include a bulge in the glass bulb of Heider as taught by Perthus for holding the bulb surrounding the halogen lamp in predetermined position.

Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 4,935,660 to Heider et al. as applied to claim 1 above, and further in view of USPN 5,670,840 to Lanese et al.

Regarding claim 11 Heider is silent about the halogen burner comprising two mutually opposed pinched ends.

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Lanese in analogous art discloses (Figure col. 2 lines 45-55) the discharge lamp having double ended envelope with two mutually opposed pinched ends. The halogen lamps can be of either single ended or double ended shape and both types of envelopes are well known in the art.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to modify the single ended discharge lamp of Heider to be double ended with two mutually opposed pinched ends as disclosed by Lanese since both types are very well known in the art.

Regarding claim 12 Lanese discloses (See Figure) the return lead 28 comprising a locking means.

Regarding claim 13 Lanese discloses the halogen burner has an infrared coating for reflecting infrared radiation.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sikha Roy whose telephone number is (571) 272-2463. The examiner can normally be reached on Monday-Friday 8:00 a.m. – 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink that reads "Sikha Roy". The signature is written in a cursive style with a large, stylized 'S' and 'R'.

Sikha Roy
Primary Examiner
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